## IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

GOLDEN BETHUNE-HILL, et al,  Plaintiffs,	) ) )
v.	
VIRGINIA STATE BOARD OF ELECTIONS, et al.,	Civil Action No. 3:14-cv-852-REP-AWA- BMK
Defendants,	) )

## CONSENT MOTION FOR EXTENSION OF TIME FOR PLAINTIFFS TO DISCLOSE EXPERT WITNESSES

In its Order of June 2, 2017, this Court directed Plaintiffs to file, by June 19, 2017, a list setting forth the names of the fact and expert witnesses that they intend to call at trial, including a statement of the topics to be addressed by each witness. ECF No. 160 ¶ 4. On June 16, 2017, Plaintiffs' lead expert since the beginning of this case—and the primary expert witness that Plaintiffs intended to call at trial—informed counsel for Plaintiffs that he will no longer be available to serve as an expert witness in this case (or to testify at trial) due to a family health emergency.

In accordance with the Court's June 2 order, on June 19, 2017, Plaintiffs will file a list setting forth the names of the fact and expert witnesses that have been identified at this point as witnesses that Plaintiffs may call at trial. Given this unexpected occurrence, however, Plaintiffs respectfully request an additional two weeks—until **July 3, 2017**—to identify one or more replacement expert witnesses and to file a correspondingly-amended list of expert witnesses with the Court. Given Plaintiffs' request, Defendants and Intervenor-

Defendants respectfully request to file a list identifying any witnesses they may call at trial in response to Plaintiffs' July 3, 2017 list on **July 14, 2017**, two weeks after Plaintiffs will file their list.

Plaintiffs, Defendants, and Intervenor-Defendants (collectively, the "Parties") have conferred and agree that this extension is appropriate. Pursuant to the Court's ECF Policies and Procedures, a consent order reflecting this proposed modification will be filed with the clerk's office.

Dated: June 19, 2017

Respectfully submitted,

## By /s/ Aria C. Branch

Aria C. Branch (VSB #83682) Marc Erik Elias (admitted *pro hac vice*) Bruce Spiva (admitted *pro hac vice*)

Perkins Coie LLP

700 13th St. N.W., Suite 600 Washington, D.C. 20005-3960

Phone: (202) 434-1627 Fax: (202) 654-9106

Email: <u>ABranch@perkinscoie.com</u> Email: <u>MElias@perkinscoie.com</u> Email: <u>BSpiva@perkinscoie.com</u>

Kevin J. Hamilton (admitted *pro hac vice*) Abha Khanna (admitted *pro hac vice*)

Ryan Spear (admitted *pro hac vice*)

William B. Stafford (admitted *pro hac vice*)

Perkins Coie LLP

1201 Third Avenue, Suite. 4900

Seattle, WA 98101-3099 Phone: (206) 359-8000

Fax: (206) 359-9000

Email: KHamilton@perkinscoie.com
Email: <u>AKhanna@perkinscoie.com</u>
Email: <u>RSpear@perkinscoie.com</u>
Email: <u>BStafford@perkinscoie.com</u>

Attorneys for Plaintiffs

Stuart A. Raphael Matthew R. McGuire Trevor S. Cox Office of the Attorney General 202 North 9th Street Richmond, VA 23219 Phone: (804) 786-7240

Fax: 804-371-0200

Email: <a href="mailto:sraphael@oag.state.va.us">sraphael@oag.state.va.us</a>
Email: <a href="mailto:toox@oag.state.va.us">toox@oag.state.va.us</a>
Attorneys for Defendants

Efrem Mark Braden (admitted *pro hac vice*) Katherine McKnight (VSB # 81482) Richard B. Raile (VSB # 84340) Baker & Hostetler LLP 1050 Connecticut Avenue NW Washington, DC 20036 Phone: (202) 861 1504

Phone: (202) 861-1504 Fax: (202) 861-1783

Email: mbraden@bakerlaw.com Email: kmcknight@bakerlaw.com Email: rraile@bakerlaw.com

Attorneys for Intervenor-Defendants

Dalton Oldham, Jr. (admitted *pro hac vice*) Dalton L. Oldham LLC 1119 Susan Street Columbia, SC 29210 Phone: (803) 237-0886

Phone: (803) 237-0886 Email: <u>dloesq@aol.com</u>

Attorney for Intervenor-Defendants

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 19th day of June, 2017, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the counsel of record in this case.

Respectfully submitted,

By /s/ Aria C. Branch

Aria C. Branch (VSB #83682) Perkins Coie LLP 700 13th St. N.W., Suite 600 Washington, D.C. 20005-3960

Phone: (202) 434-1627 Fax: (202) 654-9106

Email: ABranch@perkinscoie.com

Attorneys for Plaintiffs